

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LAURA M.,

Plaintiff,

v.

Case No. 2:22-cv-2764

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth P. Deavers

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

ORDER

This matter is before the Court on the Motion for an Award of Attorney Fees under 42 U.S.C. § 406(b) filed by Plaintiff's attorney, Sarah E. Buckley. (Mot., ECF No. 23.) Attorney Buckley seeks an award of \$8,450.00 in attorney's fees under 42 U.S.C. § 406(b)(1) and the Fee Agreement between her and Plaintiff (*see* ECF No. 23-3). (*Id.*) The Commissioner does not oppose the Motion. (ECF No. 24, PageID 1784, stating that the Commissioner "neither supports nor opposes counsel's request for attorney's fees[.]"') For the reasons below, the Court **GRANTS** the Motion.

Following a review of the information and documentation presented in support of the requested attorney's fees, the Court concludes that Attorney Buckley has provided satisfactory evidence to support the requested fees. Plaintiff was awarded past-due benefits in the amount of \$104,807, and Attorney Buckley seeks only 8% of the past-due benefits. (*See* Notice of Award, ECF No. 23-1.) This amount is within the statutory maximum of 25% of the past-due benefits. *See* 42 U.S.C. § 406(b); *Gisbrecht v. Barnhart*, 535 U.S. 789, 807 (2002) (explaining that attorney's fees may not exceed 25% of the total of claimant's past-due benefits). The Court concludes that the requested fees are reasonable in light of the offset of \$3,211.00 to be applied in connection

with the Court's prior award of attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. (ECF No. 22.)

For the reasons above, the Court **GRANTS** Plaintiff's Motion (ECF No. 23). Pursuant to 42 U.S.C. § 406(b), the Court **AWARDS** attorney's fees to Sarah E. Buckley in the amount of \$8,450.00. Plaintiff's counsel will reimburse Plaintiff any fees she received under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412.

This case remains closed.

IT IS SO ORDERED.

1/15/2025
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE